

REMARKS

Claims 1-8 are pending in this application. By this Amendment, claim 2 has been amended. Claims 1, 2, 4 and 8 are independent. Reconsideration of the application is respectfully requested.

I. Amendment

Support for the amendment to claim 2 can be found in the specification at, for example, Fig. 2 and page 24, line 9 - page 25, line 1. No new matter is added.

II. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claim 8 is allowed and claims 5-7 contain allowable subject matter.

III. Objection to the Claim

The Office Action objects to claim 2. Claim 2 is amended in accordance with the Examiner's suggestion. Withdrawal of the objection is respectfully requested.

IV. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claim 2 under 35 U.S.C. §112, second paragraph. Claim 2 is amended to obviate the rejection. Withdrawal of the rejection is respectfully requested.

V. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-3 under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2005/0237896 to Tachibana et al. (Tachibana); and rejects claim 4 under 35 U.S.C. §103(a) over Tachibana in view of U.S. Patent No. 6,972,982 to Cho. However, Tachibana does not qualify as a prior art reference.

In particular, Tachibana is a PCT Application filed July 23, 2003. However, the Tachibana PCT Application was published in the Japanese language on March 11, 2004. Thus, the reference date of Tachibana is March 11, 2004, not July 23, 2003.

On the other hand, the present application claims priority to JP2003-304833 filed August 28, 2003. Thus, the priority date of the present application is prior to the reference date of Tachibana. An accurate translation of the priority document JP 2003/304833 is submitted herewith to perfect the claim for foreign priority to disqualify Tachibana as a prior art reference.

Accordingly, withdrawal of the rejections is respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:OHC/jth

Attachments:

Accurate English-language Translation of JP2003-304833
Petition for Extension of Time

Date: December 1, 2008

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